

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
SOUTHERN DIVISION**

---

GERBER LIFE INSURANCE COMPANY,

Plaintiff,

vs.

Docket No.: 1:11-cv-00031

SAMANTHA WALLACE, THOMAS WALLACE, Guardian Ad Litem for C. G., Guardian Ad Litem for C. N., BOBBY NOLAN, TERESA NOLAN, SANDI WALLACE, MATTEA L. ROLIN as Administrator for the Estate of DENA MCNABB, RANDY BASHAM, LARRY JOHNSON, and WHITWELL MEMORIAL FUNERAL HOME, INC.

Defendants.

---

**ORDER GRANTING MOTION FOR LEAVE TO DEPOSIT FUNDS INTO THE  
REGISTRY OF THE COURT**

---

IT APPEARING TO THE COURT that Gerber Life Insurance Company's ("Gerber") Motion for Leave to Deposit Funds Into the Registry of the Court and Memorandum of Support of said Motion have been properly filed in the United States District Court for the Eastern District of Tennessee, Southern Division;

IT FURTHER APPEARING TO THE COURT that the proceeds of the insurance policies at issue have multiple and adverse claimants; and

IT FURTHER APPEARING TO THE COURT that Gerber desires to tender the proceeds of the policies at issue, plus applicable interest, into the Registry of the United States District Court for the Eastern District of Tennessee, Southern Division, pursuant to Rule 67 of the

Federal Rules of Civil Procedure and Local Rule 67.1 of the Civil Local Rules for the United States District Court for the Eastern District of Tennessee;

IT IS, THEREFORE, ORDERED that the Clerk of the United States District Court for the Eastern District of Tennessee, Southern Division, accept into the Registry of this Court the aforementioned funds into a non-income earning account, *nunc pro tunc*.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

s/ *Susan K. Lee*

SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE